

SENATE BILL 9056

By Niceley

AN ACT to amend Tennessee Code Annotated, Title 4;
Title 33; Title 50; Title 63; Title 68 and Title 71,
relative to enacting the Tennessee Religious
Objection to COVID-19 Treatment Act.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 4, Chapter 21, is amended by adding
the following as a new part:

4-21-1101. Short title.

This part is known and may be cited as the "Tennessee Religious Objection to COVID-
19 Treatment Act."

4-21-1102. Part definitions.

As used in this part:

(1) "COVID-19" means the novel coronavirus, SARS-CoV-2, and
coronavirus disease 2019, including a mutation of the novel coronavirus, SARS-
CoV-2, and coronavirus disease 2019;

(2) "Person" includes one (1) or more individuals, governments,
governmental entities, public authorities, labor organizations, corporations, legal
representatives, partnerships, associations, trustees, trustees in bankruptcy,
receivers, mutual companies, joint stock companies, trusts, unincorporated
organizations, or other organized groups of persons;

(3) "Religious objection to COVID-19 treatment" means the exercise of
religion under the Constitution of Tennessee, Article I, § 3 and the first

amendment to the United States Constitution to refuse, or adapt to a manner in conformity with a person's religion, a treatment for COVID-19; and

(4) "Treatment for COVID-19" means a procedure, medicine, drug, therapy, or other form of medical care meant to heal, cure, treat, prevent, mitigate, or otherwise address COVID-19.

4-21-1103. Religious objection to COVID-19 treatment protected.

A person shall not prohibit an individual from exercising a religious objection to COVID-19 treatment.

4-21-1104. Enforcement.

(a)

(1) An individual who is prohibited from exercising a religious objection to COVID-19 treatment may enforce this part by means of a civil action.

(2) A person found to violate this part is liable for the actual damages caused by such violation and such other amount as may be determined by a jury or a court sitting without a jury, but in no case less than two hundred fifty dollars (\$250), and, in addition to such damages and other amount, reasonable attorney's fees and court costs as may be determined by the court.

(b)

(1) A person who prohibits an individual from exercising a religious objection to COVID-19 treatment in violation of this part may be enjoined from such action by a court of competent jurisdiction.

(2) An action for injunction under this subsection (b) may be brought by the individual who is prohibited from exercising a religious objection to COVID-19 treatment in violation of this part.

(c) This part does not preclude an individual from seeking any other remedies, penalties, or procedures provided by law. Criminal penalties such not attach for a violation of this part.

SECTION 2. The headings in this act are for reference purposes only and do not constitute a part of the law enacted by this act. However, the Tennessee Code Commission is requested to include the headings in any compilation or publication containing this act.

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.